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PATENT APPLICATION
Docket No.: COS-787

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

William John Gauthier
Margarito Lopez
Donald Gorden Campbell, Jr.

Serial No.: 09/782,753 Group Art Unit: 1754
Filed: February 13, 2001 Examiner: not known
Title: **Method for the Preparation of Metallocene Catalysts**

Commissioner of Patents and Trademarks
PO Box 1450
Alexandria, VA 22313-1450

AMENDMENT

Examiners Brown and Pasterczyk:

Thank you for the interview on Thursday, July 24, 2003, regarding the above-referenced application. As we discussed, in response to the office action dated May 21, 2003, the following claim amendments are believed to put the subject application in condition for allowance.

Claim Objections

Amend claims 5, 19, 20, 22-24, and 33 by replacing the term "method" with "process" in the first line of each claim. Amend claim 1 by incorporating the limitation of claim 17 and canceling claim 17. Amend claim 25 by incorporating the limitation of claim 30 and canceling claim 30. The external surface referred to in amended claims 1 and 25 does not include the surface areas inherent with the pore volumes of the support.

Claim Rejections – 35 USC 102

Sugimura, et al

Sugimura discloses a low temperature catalyst step at column 53, lines 13-20 and also at column 54, lines 51-59. These steps comprise a compound (b) that is a compound of a transition metal from any of Groups 8 to 10 of the periodic table. See column 47, lines 25-37.

- The compounds described in Sugimura, a transition metal from Groups 8 to 10 of the periodic table, would not be considered a metallocene catalyst as required in the present invention.

Sugimura does not disclose including compound (e), a "fine particulate carrier", in the low temperature catalyst step.

- The present invention requires "a particulate catalyst support material comprising support particles having an alumoxane co-catalyst incorporated on said support particles" in step (a) of the synthesis.

Double Patenting

The double patenting rejections relating to U.S. Patent No.'s 6,239,058, 6,166,153, 5,968,864, and 6,432,860 are responded to by pointing out the following differences:

- 6,239,058 The catalyst of this patent is dried, as disclosed at column 5, line 10 and claim 1, column 12, line 12. It does not teach the benefits of low temperature synthesis and of the benefits of elimination of the drying step, which the present invention comprises.
- 6,166,153 This patent does not teach the benefits of low temperature synthesis and of the benefits of elimination of the drying step.
- 5,968,864 The catalyst of this patent can be dried, as disclosed at column 5, line 15 and claim 1, column 11, line 6. This patent does teach the benefits of low temperature synthesis, but does not teach the benefits of elimination of the drying step.
- 6,432,860 This patent does not teach the benefits of low temperature synthesis and of the benefits of elimination of the drying step.